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m/023/016

NOV 10 2004

From: Jay Morris
To: Tom Munson
Date: 11/10/04 7:17AM
Subject: Re: H./E. Davis Chicken Creek East Air Quality Meeting-M/023/016-Pls File

DIV OF OIL GAS & MINING

Those ideas sound great Tom!

The DAQ sent a compliance advisory to Tony last week. The company will be required to apply for an approval order. The approval order will include conditions that require them to water their roads and operate water sprays on their equipment. They will be required to keep records of all watering activities and chemical applications for our review.

After they receive an approval order we will conduct annual inspections of the operation.

They will have to pay a fee to get the approval order and a cash penalty for operating without a permit for the previous 2 years. On top of the penalty, the EPA requires us to collect all economic benefit (profit) for the time a facility operates without a permit.

Thanks so much for all of your help and have a great day (and holiday tomorrow!)

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>>> Tom Munson 11/08/04 04:37PM >>>

Tony Christofferson met with the division at 1 PM in Division offices to discuss Air Quality concerns at the Chicken Creek East property. The following things have been discussed as solutions to a air quality problem at the mine.

The access road and haul road to the mine up to the Crusher string will be Magnesium Chlorided in the Spring to prevent dust.

The crusher string will employee more water sprays at transfer points to prevent dust.

The haul road up the hill will be graded and watered each night to prevent bug dust from forming.

We agreed that each of the these items will help prevent fugitive dust and are willing to see if this will prevent more extreme measures from having to be implemented based on site inspection.

We requested that Mr. Christofferson write the Division a letter outlining the steps to be taken by the H.E. Davis prior to future operation.